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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

ANGEL ZARATE,

Defendant and Appellant.

H033784

(Santa Clara County

Super. Ct. No. 175800)

Defendant, Angel Zarate appeals from an order extending his civil commitment for one year. (Pen. Code, § 2970.) In 1995, appellant pleaded no contest to spousal abuse (Pen. Code, § 273.5) and admitted a prior conviction for murder. (Pen Code, § 667, subd. (b).) The trial court sentenced defendant to four years in prison and recommended that he be housed in the mental health unit. On October 10, 1997, defendant was admitted to Atascadero State Hospital pursuant to Penal Code section 2962. On June 6, 2000, the Santa Clara County District Attorney filed a petition to compel involuntary treatment pursuant to Penal Code section 2970. That petition was granted, as were seven more between the years 2000 and 2007. On June 25, 2008, the district attorney filed the instant petition seeking yet another extension to defendant's commitment. After a court trial, where only the district attorney presented evidence, the trial court found the allegations of the petition to extend commitment to be true. The court then extended defendant's commitment for one year. This appeal ensued.

On appeal, appointed counsel filed an opening brief which states the case and the facts but raises no specific issues. We notified defendant of his right to submit written argument in his own behalf within 30 days. That time has elapsed and we have received nothing from defendant.

Pursuant to our obligation as set forth in *People v. Wende* (1979) 25 Cal.3d 436, we have reviewed the entire record, and have concluded that there are no arguable issues on appeal. Therefore, we will affirm the judgment.

**DISPOSITION**

The judgment is affirmed.

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RUSHING, P.J.

WE CONCUR:

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PREMO, J.

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ELIA, J.